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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/232,265	01/19/1999	JARNO KNUUTILA	460-008437-U	2021

7590 08/16/2007
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EXAMINER

MISLEH, JUSTIN P

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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08/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 09/232,265	Applicant(s) KNUUTILA ET AL.	
	Examiner Justin P. Misleh	Art Unit 2622	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Attached Sheet.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.



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Response to Arguments

1. Applicant's arguments filed July 23, 2007 have been fully considered but they are not persuasive.

2. Applicant initially argues, "In particular the combined teaching fails to disclose or suggest the claimed features of independent claim 1 as follows:

'using the electronic device for controlling, whether the digital image information, captured by the camera module, is to be transferred to the electronic device as such, or in a reduced form; and'

"In particular Endsley fails to disclose or suggest a system, method, or device in which the host device controls the hardware and software that provides communication between a camera module and the host device in a manner, according to the claims, that results in the host device controlling whether the digital image information, captured by the camera module, is to be transferred to the electronic device as such, or in a reduced form." (emphasis added by Applicant).

3. The Examiner has previously addressed this argument. Please see paragraph 3 (pages 2 and 3) in the Final Rejection, mailed April 23, 2007.

4. Applicant newly argues, "The claims of this application are directed to a method, system and devices for transferring image data from a camera module to a host device. The Examiner references several excerpts from the cited reference Endsley, in particular at column 4, lines 60-65, as follows:

"The host computer 12 controls the camera picture-taking process by instructing the camera 10 when to take still or motion pictures, and setting the electronic exposure time and the analog gain in the CDS/gain block 24 via the microprocessor 38. The USB hardware and software provides communication between the host 12 and the camera 10 through the aforementioned abstraction called a "pipe". When the camera 10 is

connected to the host 12, camera driver software running on the host 12 indicates the latency and bandwidth required for the camera."

"Applicant respectfully submits that this language relates to the image data capturing process and not to the process of transferring the captured image data to the host device, as defined by the independent claims of this application. The reference to bandwidth is dependent on the camera not the image data to be transferred. There is no hint that the image data can be adjusted to a reduced form. The cited reference discusses the transfer of image data at column 8, lines 51-67, which states at the conclusion:

"The number of packets per frame depends on the camera configuration."

"Thus Endsley fails to teach or suggest that the electronic device is used for controlling how the image data captured by the camera module is to be transferred to the electronic device. Therefore the combined teaching cited by the Examiner fails to support prima facie obviousness."

5. The Examiner respectfully disagrees with Applicant's position. As pointed out by Applicant, Endsley discloses, "The number of packets per frame depends on the camera configuration." The Examiner further submits Endsley discloses, "the microprocessor 38 includes camera registers 72 that store at least two different camera configurations communicated from the host computer 12 for controlling the image sensor in at least two modes, wherein each configuration includes information defining a plurality of camera parameters" (see column 4, lines 4 – 9) and "the camera 10 is configured by input from the host computer 12 by specifying the values of the group of parameters" (see column 5, lines 41 and 42).

6. Since the host computer (12) is responsible for providing the camera parameters and configuring the camera, any operation performed by the camera (10) would indeed be a result of

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control from the host computer (12). Therefore, while “the number of packer per frame depends on the camera configuration”, it even further depends on the camera parameters provided by the electronic device (host computer 12).

7. For this reason, the Examiner maintains the rejection.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lin Ye can be reached on 571.272.7372. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM
August 9, 2007


LIN YE
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